

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 537
HOUSE BILL 1131

AN ACT TO PROVIDE THAT DEMOLITION ASPHALT MAY BE USED AS FILL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-294 is amended by adding a new subsection to read:

"(m) Demolition debris consisting of used asphalt or used asphalt mixed with dirt, sand, gravel, rock, concrete, or similar nonhazardous material may be used as fill and need not be disposed of in a permitted landfill or solid waste disposal facility. Such demolition debris may not be placed in the waters of the State or at or below the seasonal high water table."

Sec. 2. G.S. 130A-309.09(b) reads as rewritten:

"(b) Each designated local government shall initiate a recyclable materials recycling program by 1 July 1991. Counties and municipalities are encouraged to form cooperative arrangements for implementing recycling programs. The following requirements shall apply:

- (1) Construction and demolition debris must be separated from the solid waste stream and segregated in separate locations at a solid waste disposal facility or other permitted site. Demolition debris consisting of used asphalt or used asphalt mixed with dirt, sand, gravel, rock, concrete, or similar nonhazardous material may be used as fill and need not be disposed of in a permitted landfill or solid waste disposal facility, provided that such demolition debris may not be placed in the waters of the State or at or below the seasonal high water table.
- (2) At a minimum, a majority of marketable materials identified pursuant to G.S. 130A-309.14(b) must be separated from the solid waste stream prior to final disposal at a solid waste disposal facility and must be offered for recycling if the separation and collection of these materials is economically feasible and markets for such materials exist in such proximity as to make transportation of such materials to such markets economically feasible.
- (3) Units of local government are encouraged to separate all plastics, metal, and all grades of paper for recycling prior to final disposal and are further encouraged to recycle yard trash and other mechanically treated solid waste into compost available for agricultural and other acceptable uses."

Sec. 3. This act is effective upon ratification and expires 1 July 1993.

1991. In the General Assembly read three times and ratified this the 3rd day of July,

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives